



Serial No.: 09/596,876  
Atty. Dkt. No. SIMN:004

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- ☒ original
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part

### INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### TITLE OF INVENTION

***"Bistable Switch with Shape Memory Metal "***

### SPECIFICATION IDENTIFICATION

The specification of which:

- ☐ is attached hereto
- ☒ was filed on **June 19, 2000**, under Serial No. **09/596,876**,  
and was amended on \_\_\_\_\_ (if applicable)
- ☐ was described and claimed in PCT International Application No. \_\_\_\_\_  
filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_

### ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56,

and which is material to the examination of this application; namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

with ☐ In compliance with this duty there is attached an Information Disclosure Statement in accordance with 37 CFR §1.98.

**PRIORITY CLAIM (35 U.S.C. §119)**

I hereby claim foreign priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below, and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

☒ No such applications have been filed.

☐ Such applications have been filed as follows:

- A. Prior foreign/PCT application(s) filed within 12 mos. (6 mos. for design) prior to this application, and any priority claims under 35 U.S.C. §119

| <u>Country/PCT</u> | <u>Application No</u> | <u>Date Filed</u> | <u>Priority Claimed</u>                                  |
|--------------------|-----------------------|-------------------|--|
|                    |                       |                   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|                    |                       |                   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|                    |                       |                   | <input type="checkbox"/> Yes <input type="checkbox"/> No |

- B. All foreign application(s), if any, filed more than 12 mos. (6 mos. for design) prior to this U.S. application

Country:  
Application No:  
Filing date:

**PRIORITY CLAIM (35 U.S.C. §120)**

I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information that is material to the examination of this application (namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

☒ No such applications have been filed

☐ Such applications have been filed, as follows:

| <u>Serial No.</u> | <u>Filing Date</u> | <u>Status</u>                            |
|-------------------|--------------------|--|
|                   |                    | <u>Patented Pending</u> <u>Abandoned</u> |

## POWER OF ATTORNEY

I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

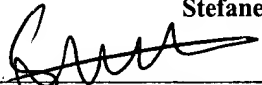
Mark K. Dickson, Reg. No. 32,889; Glenn W. Rhodes, Reg. No. 31,790; Mark A. Seka, Reg. No. 44,330  
and J. Paul Williamson, Reg. No. 29,600

**Send correspondence to:**  
Mark A. Seka  
Howrey Simon Arnold & White, LLP  
750 Bering Drive  
Houston, TX 77057-2198


## DECLARATION

*I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.*

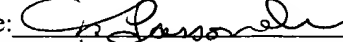
Full name of first inventor: **Stefane Menard**

Inventor's signature:  Date: Nov. 10, 2000  
Residence: 119 Chateau Kirkland, Kirkland, Quebec, Canada, H9J 3Z9  
Post Office Address: (same as residence address)  
Country of Citizenship: Canada

Full name of second inventor: **Jean-Claude Villeneuve**

Inventor's signature:  Date: Nov 10, 2000  
Residence: 3177 Beausejour, Boisbriand, Quebec, Canada, J7H 1A4  
Post Office Address: (same as residence address)  
Country of Citizenship: Canada

Full name of third inventor: **Normand Lassonde**

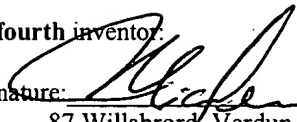
Inventor's signature:  Date: 10 Nov 2000  
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Post Office Address: (same as residence address)  
Country of Citizenship: Canada

Serial No.: 09/596,876  
Atty. Dkt. No. SIMN:004

Full name of fourth inventor:

Michel Decarie

Inventor's signature:



Date: 10 Nov 2000

Residence: 87 Willabrord, Verdun, Quebec, Canada H4G 2T5

Post Office Address: (same as residence address)

Country of Citizenship: Canada